

LOWEY DANNENBERG, P.C.

Christian Levis (admitted *pro hac vice*)
 David C. Harrison (admitted *pro hac vice*)
 Andrea Farah (admitted *pro hac vice*)
 Scott Vincent Papp (admitted *pro hac vice*)
 44 South Broadway, Suite 1100
 White Plains, NY 10601
 Tel: (914) 997-0500
 E-mail:clevis@lowey.com
 E-mail:dharrison@lowey.com
 E-mail:afarah@lowey.com
 E-mail:spapp@lowey.com

Lead Counsel for Plaintiffs

Additional counsel on signature page

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

THOMAS JEDRZEJCZYK, SONY CHUNG,
 KENNY TINKELMAN, and DAVID LEWIS
 individually, and on behalf of all others
 similarly situated,

Plaintiffs,

v.

SKILLZ INC., f/k/a FLYING EAGLE
 ACQUISITION CORP., ANDREW
 PARADISE, CASEY CHAFKIN, MIRIAM
 AGUIRRE, SCOTT HENRY, HARRY
 SLOAN, JERRY BRUCKHEIMER,
 CHRISTOPHER GAFFNEY, VANDANA
 MEHTA-KRANTZ, KENT E. WAKEFORD,
 CITIGROUP GLOBAL MARKETS, INC.,
 GOLDMAN SACHS & CO. LLC,
 JEFFERIES LLC, UBS SECURITIES LLC,
 WEDBUSH SECURITIES INC., WELLS
 FARGO SECURITIES, LLC, CANACCORD
 GENUITY LLC, STIFEL, NICOLAUS &
 COMPANY, INC.,

Defendants.

Case No.: 3:21-cv-03450-RS
 ORDER

**JOINT REQUEST TO CONTINUE CASE
 MANAGEMENT CONFERENCE**

Current CMC Date: July 14, 2022
 Time: 11:00 AM

1 Plaintiffs Thomas Jedrzejczyk, Sony Chung, Kenny Tinkelman, and David Lewis
2 (“Plaintiffs”) and Defendants Skillz Inc., Andrew Paradise, Casey Chafkin, Miriam Aguirre, Scott
3 Henry, Harry Sloan, Jerry Bruckheimer, Christopher Gaffney, Vandana Mehta-Krantz, Kent E.
4 Wakeford, Citigroup Global Markets, Inc., Goldman Sachs & Co. LLC, Jefferies LLC, RBC Capital
5 Markets, LLC, UBS Securities LLC, Wedbush Securities LLC, Wells Fargo Securities, LLC,
6 Canaccord Genuity LLC, Stifel, Nicolaus & Company, Inc. (“Defendants,” and together with
7 Plaintiffs, the “Parties”), by and through their undersigned counsel, hereby STIPULATE and
8 respectfully REQUEST that the Court vacate and continue the Case Management Conference
9 (“CMC”), presently scheduled for July 14, 2022 (*see* ECF No. 117), until 30 days after the Court
10 rules on Defendants’ Motions to Dismiss (ECF Nos. 105, 108), or as soon thereafter as the Court is
11 available.

12 Plaintiff filed their Amended Consolidated Complaint (“ACC”) on October 8, 2021.
13 Defendants filed two Motions to Dismiss the ACC on December 23, 2021 (the “Motions”). On
14 March 29, 2022, the Court scheduled the hearing on the Motions for June 2, 2022 and the CMC for
15 July 14, 2022. ECF Nos. 116, 117. On April 19, 2022, in light of a scheduling conflict, the Parties
16 requested that the hearing on the Motions be continued and offered several mutually agreeable
17 dates. *See* ECF No. 123. On April 26, 2022, the Court entered an order continuing the hearing on
18 the Motions to June 30, 2022. ECF No. 125.

19 Given that the Court has neither heard nor yet ruled on the Motions, the Parties believe a
20 continuation of the CMC is necessary, principally because discovery remains stayed under the
21 PSLRA until the Court’s decision on the motions to dismiss. *See* 15 U.S.C. § 77z-1(b); 15 U.S.C.
22 § 78u-4(b)(3). The Parties have met and conferred and believe that deferring the CMC until after a
23 decision is issued on the Motions will better inform the Parties and the Court regarding the case
24 schedule and deadlines they are required to propose in the Case Management Statement. *See*
25 Declaration of Scott Vincent Papp, dated June 16, 2022, contemporaneously filed herewith.

26 Accordingly, the Parties request that the CMC scheduled for July 14, 2022, be vacated and
27 continued until 30 days after the Court rules on the outstanding Motions (ECF Nos. 105, 108), or
28

as soon thereafter as the Court is available.

SO STIPULATED.

Respectfully submitted,

Dated: June 16, 2022

By: /s/ Scott V. Papp

LOWEY DANNENBERG, P.C.

Christian Levis (admitted *pro hac vice*)

David C. Harrison (admitted *pro hac vice*)

Andrea Farah (admitted *pro hac vice*)

Scott Vincent Papp (admitted *pro hac vice*)

44 South Broadway, Suite 1100

White Plains, New York 10601

Telephone: (914) 997-0500

E-mail: clevis@lowey.com

E-mail: dharrison@lowey.com

E-mail: afarah@lowey.com

E-mail: spapp@lowey.com

Lead Counsel for Plaintiffs

SCHUBERT JONCKHEER & KOLBE LLP

Robert C. Schubert (Cal. Bar No. 62684)

Willem F. Jonckheer (Cal. Bar No. 178748)

Three Embarcadero Center, Suite 1650

San Francisco, California 94111

Telephone: (415) 788-4220

E-mail: rschubert@sjk.law

E-mail: wjonckheer@sjk.law

Liaison Counsel for Plaintiffs

HAGENS BERMAN SOBOL SHAPIRO LLP

Reed R. Kathrein (139304)

Wesley A. Wong (314652)

715 Hearst Avenue, Suite 202

Berkeley, CA 94710

Telephone: (510) 725-3000

E-mail: reed@hbsslaw.com

Steve W. Berman (admitted *pro hac vice*)

1301 Second Avenue, Suite 2000

Seattle, WA 98101

Telephone: (206) 623-7292

E-mail: steve@hbsslaw.com

Additional Counsel for Plaintiffs

Dated: June 16 2022

By: **/s/

LATHAM & WATKINS LLP

Matthew Rawlinson (Cal. Bar No. 231890)

Daniel R. Gherardi (Cal. Bar No. 317771)

E-mail: matt.rawlinson@lw.com

E-mail: daniel.gherardi@lw.com

140 Scott Drive

Menlo Park, CA 94025-1008

Telephone: 650.328.4600

Melanie M. Blunschi (Cal. Bar No. 234264)

E-mail: melanie.blunschi@lw.com

505 Montgomery Street, Suite 2000

San Francisco, CA 94111

Telephone: 415.391.0600

Attorneys for Defendants Skillz Inc., Andrew Paradise, Casey Chafkin, Miriam Aguirre, Scott Henry, Harry Sloan, Jerry Bruckheimer, Christopher Gaffney, Vandana Mehta-Krantz, and Kent E. Wakeford

** Pursuant to Civ. L.R. 5-1(i)(3), the filer of the document has obtained approval from this signatory.

Dated: June 16, 2022

By: **/s/

O'MELVENY & MYERS LLP

Amy S. Park

E-mail: apark@omm.com

2765 Sand Hill Road

Menlo Park, California 94025-7019

Telephone: 650-473-2600

Fax: +1 650 473 2601

Jonathan Rosenberg (*pro hac vice*)

William J. Sushon (*pro hac vice*)

E-mail: jrosenberg@omm.com

E-mail: wsushon@omm.com

7 Times Square

New York, New York 10036-6524

Telephone: 212-326-2000

Attorneys for Citigroup Global Markets, Inc.,

Goldman Sachs & Co. LLC, Jefferies LLC, RBC Capital Markets, LLC, UBS Securities LLC, Wedbush Securities Inc., Wells Fargo Securities, LLC, Canaccord Genuity LLC, and Stifel, Nicolaus & Company, Inc.

**** Pursuant to Civ. L.R. 5-1(i)(3), the filer of the document has obtained approval from this signatory.**

ORDER

IT IS HEREBY ORDERED that the Case Management Conference, presently scheduled for July 14, 2022, is vacated. The Court will reschedule the Case Management Conference to August 25, 2022 at 10:00 am to be held via Zoom.

Dated: 6/16/2022, 2022



HON. RICHARD SEEBORG
United States District Judge